

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|--------------------------------------|---|-------------------------|
| NICHOLAS MARTIN on behalf of himself |) | |
| and others similarly situated, |) | |
| |) | |
| Plaintiff, |) | Case 1:10-cv-3494 |
| |) | |
| v. |) | Judge Dow |
| |) | |
| CCH, INCORPORATED, |) | Magistrate Judge Ashman |
| |) | |
| Defendant. |) | |

MOTION TO EXTEND TIME TO COMPLETE DISCOVERY

Defendant CCH, Inc. ("CCH"), by and through its counsel, respectfully requests that this Court enter an order granting the parties a 90-day extension, until July 25, 2011, to complete discovery. In support of this Motion, CCH states as follows:

1. This Court previously entered an order closing discovery on April 25, 2011. Dkt. 26.
2. On January 14, 2011, CCH issued interrogatories and document requests to Plaintiff ("Martin"). Although CCH has produced thousands of pages of documents responsive to Martin's discovery requests, Martin has produced next to no documents, and has refused to answer most of CCH's interrogatories.
3. Martin's failure to comply with his discovery obligations is the subject of a motion to compel by CCH, Dkt. 54, which is currently pending.
4. It is not possible for CCH to begin taking depositions until after Martin has responded to written discovery. First, it would not be economical to take the deposition of Martin until CCH has received his discovery responses. Second, CCH anticipates needing to take the depositions of third parties, the identities of whom are known only to Martin. Martin

has thus far refused to disclose the identities of those third parties in response to CCH's discovery requests.

5. In order to give the Court time to rule on CCH's motion to compel, to give Martin time to comply with his discovery obligations, and to give CCH time to take the depositions of Martin and unidentified third parties, CCH respectfully requests a 90 day extension to complete discovery.

6. CCH has conferred with Martin regarding this extension of time, and Martin does not oppose a 45 day extension.

WHEREFORE, CCH respectfully requests that this Court enter an order extending the deadline to complete discovery to July 25, 2011, and to award any further relief the Court deems just and proper.

DATED: April 7, 2011

Respectfully submitted,

By: /s/ Sarah A. Zielinski

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CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2011, I electronically filed the foregoing **MOTION TO EXTEND TIME TO COMPLETE DISCOVERY** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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/s/ Sarah A. Zielinski
